IN THE HIGH COURT OF JUDICATURE AT BILASPUR

W.P . NO. 3670 / 2003

PETITIONER :

1. M/s. Khandelwal Dal Mill, A Partnership firm, Chikhali, Tahsil & District – Durg (C.G.)
2. Shrikishan Khandelwal, Age-52, S/o. Shri Ramdhan Khandelwal, R/o. Sttion Road, Durg (C.G.)
3. Siyaram Khandelwal, Age 50, S/o. Ramdhan Khandelwal, R/o. Station Road, Durg (C.G.)
4. Smt. Sharda Khandelwal, Age-50 yrs., W/o. Shri Shrikishan Khandelwal, R/o. Station Road, Durg (C.G.)
5. Smt. Tara Khandelwal, Age – 47 yrs. W/o. Shri Siyaram Khandelwal, R/o. Station Road, Durg (C.G.)

P. R. No. 3411203
Presented by Shri P. R. Ramakar
dated 01/11/03

VERSUS

RESPONDENTS

1. Union of India, Through The Secretary, Ministry of Law, Justice and Company Affairs, Shastri Bhawan, New Delhi.

Copy Rec'd 3/11/03 for Resp

2. Punjab National Bank, Through its Chief Manager Protested Advances Department, Zonal Office, Kutchahari Chowk, Raipur (C.G.)

3. Punjab National Bank, Through its Branch Manager, Station Road, Durg (C.G.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, OR CERTIORARI AND/OR ANY OTHER APPROPRIATE WRIT OR ORDER(S) AND/OR DIRECTION(S) IN THE NATURE OF WRIT:

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 3670 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	DIVISION BENCH: **HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ & HON'BLE SHRI FAKHRUDDIN, J.** **29/06/2004: -** Shri Manoj Paranjape, counsel for the petitioner. Shri Vinay Harit, Sr. Standing Counsel for the Union of India, for respondent No.1. Shri Shailendra Shukla, counsel for the respondent No.2 & 3. Following the decision of the Supreme Court in the matter of **Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541)**, the writ petition stands dismissed. However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today. Sd/- Chief Justice Sd/- Fakhruddin Judge	

[पीछे देखिये